IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl.Misc.No.2773-M of 2007

Date of Decision: 16.4.2007

Sunita Rani and another .....Petitioners

Versus

State of Punjab and another .....Respondents

**CORAM:- HON'BLE MR.JUSTICE S. D. ANAND**

**Present:** Mr.Karan Malik, Advocate for
Mr.Ajay Pal Singh, Advocate
for the petitioners.

Mr.BS Sra, GAG Punjab.

Mr.Munish Kaushal, Advocate for respondent No.2.

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**S. D. ANAND, J.**

The impugned order dated 11.11.2006 (Annexure P2), passed by the learned Sub Divisional Judicial Magistrate, Dhuri directing the summoning of the petitioners-accused to stand trial for an offence under Section 500 of the Indian Penal Code is non-speaking and cryptic in character. In the course of the operative portion of the order, all that the learned Sub Divisional Judicial Magistrate had noticed, was that the complainant made a statement as per the version in the complaint, which (version) was also corroborated by the statements of other two witnesses examined in the preliminary evidence. The impugned order does not make a mention, even in brevity, of the nature of testimony rendered by each witness.

The impugned order shall stand quashed. However, it is made clear that the learned Sub Divisional Judicial Magistrate, Dhuri would be at liberty to re-hear the complainant in the matter and pass a speaking order in accordance with law.

Disposed of.

( S. D. ANAND )
JUDGE

April 16, 2007
*SRM*